

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF CHESAPEAKE

CITY OF CHESAPEAKE, VIRGINIA,

Petitioner,

v.

Case No.: CL13 - 536

BILLY JOHN JOHNSON,

Respondent.

Petitioner's Motion to Extend the Period of Limitation

COMES NOW, the City of Chesapeake, Virginia, Petitioner (the "City"), by counsel, pursuant to § 8.01-251(B) of the Code of Virginia, 1950 (as amended), and for its motion to extend the statutory period of limitations regarding the enforcement of a judgment against Billy John Johnson, Respondent ("Respondent"), states as follows:

1. On March 10, 1993, the City obtained a civil judgment (the "Judgment") against Respondent in the Chesapeake General District Court in the principal amount of \$70.87, plus 9% interest from April 22, 1993 until paid. The Warrant in Debt was filed in the Chesapeake General District Court and certified as a true Abstract of Judgment on March 22, 1993. On or about July 6, 1993, the City, in accordance with § 16.1-69.55(B)(4), caused the abstract of Judgment to be docketed and recorded in the Chesapeake's Circuit Court Judgment Lien Index in Instrument # 04174 and paid all requisite fees for the same. A copy of the Abstract of Judgment recorded in the Chesapeake General District Court and recorded in the Circuit Court Judgment Lien Index as Instrument # 04174 is attached as **Exhibit I**.

2. To date, Respondent has failed to pay the Judgment or any part thereof to the City and has failed to contact the City concerning the same.

3. The City has, over the last twenty (20) years, attempted to collect on the Judgment, to no avail.

4. In accordance with § 8.01-251(A), the period of limitations regarding the enforcement of judgments in Virginia is twenty (20) years, and the twentieth anniversary of the Judgment will be on March 10, 2013.

5. The City has satisfied the requirements set forth in §§ 8.01-251 and 16.1-69.55(B)(4); and therefore, would be greatly prejudiced if the extension of the period of limitations concerning its Judgment against Respondent is not granted.

WHEREFORE, the City of Chesapeake, Virginia, Respondent, respectfully requests that this Court extend the statutory period of limitations to collect on the Judgment, grant the City an additional twenty (20) years to collect on the Judgment from the date of the filing of this motion, and award the City any further relief that this Court deems meet and proper.

Respectfully submitted,

CITY OF CHESAPEAKE, VIRGINIA

By: 
Of Counsel

Catherine Lindley, Esq. (VSB: 71055)
City Attorney's Office
306 Cedar Road, 6th Floor
Chesapeake, Virginia 23322
(w) (757) 382-6586
(f) (757) 382-8749
Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that on February 11, 2013, I delivered, by U.S. First-Class Mail, a true copy of the foregoing Petitioner's Motion to Extend the Period of Limitations to the following:

Mr. Billy John Johnson
148 Bland Street
Spring Lake, NC 28390
Pro Se Respondent


Catherine H. Lindley, Esq.

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF CHESAPEAKE

CITY OF CHESAPEAKE, VIRGINIA,

Petitioner,

v.

Case No.: CL 13-58

PHILLIP DAVID GREENE,

Respondent.

Petitioner's Motion to Extend the Period of Limitations

COMES NOW, the City of Chesapeake, Virginia, Petitioner (the "City"), by counsel, pursuant to § 8.01-251(B) of the Code of Virginia, 1950 (as amended), and for its motion to extend the statutory period of limitations regarding the enforcement of a judgment against Phillip David Greene, Respondent ("Respondent"), states as follows:

1. On March 10, 1993, the City obtained a civil judgment (the "Judgment") against Respondent in the Chesapeake General District Court in the principal amount of \$74.96, plus 9% interest from April 22, 1993 until paid. The Warrant in Debt was filed in the Chesapeake General District Court and certified as a true Abstract of Judgment on March 15, 1993. On or about July 6, 1993, the City, in accordance with § 16.1-69.55(B)(4), caused the abstract of Judgment to be docketed and recorded in the Chesapeake's Circuit Court Judgment Lien Index in Instrument # 04173 and paid all requisite fees for the same. A copy of the Abstract of Judgment recorded in the Chesapeake General District Court and recorded in the Circuit Court as Judgment Lien Index Instrument # 04173 is attached as **Exhibit 1**.

2. To date, Respondent has failed to pay the Judgment or any part thereof to the City and has failed to contact the City concerning the same.

3. The City has, over the last twenty (20) years, attempted to collect on the Judgment, to no avail.

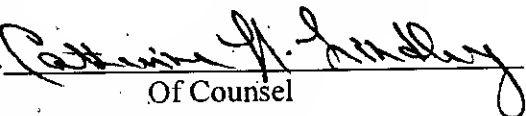
4. In accordance with § 8.01-251(A), the period of limitations regarding the enforcement of judgments in Virginia is twenty (20) years, and the twentieth anniversary of the Judgment will be on March 10, 2013.

5. The City has satisfied the requirements set forth in §§ 8.01-251 and 16.1-69.55(B)(4); and therefore, would be greatly prejudiced if the extension of the period of limitations concerning its Judgment against Respondent is not granted.

WHEREFORE, the City of Chesapeake, Virginia, Respondent, respectfully requests that this Court extend the statutory period of limitations to collect on the Judgment, grant the City an additional twenty (20) years to collect on the Judgment from the date of the filing of this motion, and award the City any further relief that this Court deems meet and proper.

Respectfully submitted,

CITY OF CHESAPEAKE, VIRGINIA

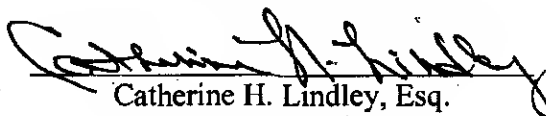
By: 
Of Counsel

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306 Cedar Road, 6th Floor
Chesapeake, Virginia 23322
(w) (757) 382-6586
(f) (757) 382-8749
Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that on February 22, 2013, I delivered, by U.S. First-Class Mail, a true copy of the foregoing Petitioner's Motion to Extend the Period of Limitations to the following:

Mr. Phillip David Greene
342 Omaha Road
Virginia Beach, VA 23462
Pro Se Respondent


Catherine H. Lindley, Esq.